IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7456 OF 2007

Bilal Shafiullah Khan] .. Petitioner

Versus

1. The General Manager, Central Railway & 3 ors.] .. Respondents

Mr. Pradeep Ramchandani for the petitioner.

None for the respondents.

CORAM: S.B. MHASE &
D.G. KARNIK, JJ.

DATED: 10TH OCTOBER, 2007

P.C. :

1. Heard learned counsel for the petitioner.

2. By this Petition, the petitioner seeks an order from this Court directing the respondents to grant compassionate appointment to the petitioner.

3. The petitioner's father died on 5th December, 1992, leaving behind him two widows. The petitioner is the son of one of the widows. Petitioner applied for compassionate appointment. By the impugned order, the application has been rejected *inter alia* on the ground that the children of the second widow cannot be granted

compassionate appointment. The order also mentions that on similar ground, the application made by the petitioner's sister was also rejected.

4. The petitioner's father has died on 5th December, 1992. Application for compassionate appointment has been made in the year 2007 i.e. after a lapse of 15 years. Compassionate appointment is an exception to the rule of equality and equal opportunity of employment contained in Article 14 to 16 of the Constitution of India. Compassionate appointment is made usually with a view to enable the family of a deceased employee to tide over the penury which arises on account of untimely and sudden death of the bread winner. In the present case, the death occurred in 1992 and more than 15 years have passed. As such, there is no question of granting compassionate appointment. It may also be noted that the petitioner presently is about 24 years of age and it cannot be said that there is any urgency for seeking appointment contrary to the rule of equality for getting over the immediate financial crisis.

4. In the circumstances, the Writ Petition is rejected summarily.

Sd/-
[D.G. KARNIK, J.]

Sd/-
[S.B. MHASE, J.]